

**Notice of Allowability**

Application No.

09/875,365

Examiner

William T. Leader

Applicant(s)

WOODRUFF ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the papers filed on 10/1/04, 10/5/04 and 10/21/04.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 05 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/5/04; 10/21/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

1. Receipt of the papers filed on October 1, 2004, October 5, 2004, and October 21, 2004 is acknowledged. The amendments presented are deemed to overcome the objections and rejections of record for the reasons given by applicant.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward Hotchkiss on December 9, 2004.

#### In the Specification:

Page 1, line 16: "and identified by Perkins Coie LLP Docket" has been deleted.

Page 1, line 17: "No. 29195.8153US00" has been changed to -- as Serial No. 09/875,300, now U.S. Patent No. 6,752,584 --.

Page 1, line 20: "and identified by Perkins Coie" has been deleted.

Page 1, line 21 "Docket No. 29195.8153US01" has been changed to -- as Serial No. 09/875,428, now U.S. Patent No. 6,749,390 --.

Page 2, line 1: "and identified by Perkins Coie Docket" has been deleted.

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Page 2, line 2: "No. 29195.8155US00" has been changed to -- as Serial No. 09/875,304, now U.S. Patent No. 6,632,334 --.

Page 2, line 5: "concurrently, and" has been changed to -- May 31, 2001, --

Page 2, line 6: "identified by Perkins Coie LLP Docket No. 29195.8158US00" has been changed to -- as Serial No. 09/872,151 --.

Page 2, line 9: "and" has been changed to --as--.

Page 2, line 10: "identified by Perkins Coie Docket No. 29195.8154US00" has been changed to --as Serial No. 09/875,424, now U.S. Patent No. 6,623,609 --.

Page 2, line 15: "and identified separately by" has been changed to --as--.

Page 2, line 16: "Perkins Coie Docket Nos. 29195.8157US02 and 29157US03" has been changed to -- Serial Nos. 09/866,391 and 09/866,463 --.

These changes have been made to replace applicant's docket numbers with serial numbers.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to William T. Leader whose telephone number is 571-272-1245. The examiner can normally be reached on Mondays-Thursdays and alternate Fridays, 7:30-4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King, can be reached on 571-272-1244. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
William Leader  
December 9, 2004

  
ROY KING  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700